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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/526,860	
	Filing Date	September 4, 2003	
	First Named Inventor	Marc K. HELLERSTEIN	
	Group Art Unit	1648	
	Examiner Name	Not Yet Assigned	
Total Number of Pages in This Submission	6 + 8 Refs.	Attorney Docket Number	416272003600

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form - 1 pg IN DUPL <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement-3 pgs. <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below) 1. Form PTO/SB/08A/B-2 pgs 2. Citing 34: Copies of 8 References Attached 3. Return Receipt Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	MICHAEL R. WARD	CUSTOMER NO. 20872
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Signature		
Date	June 18, 2007	

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 809052832 US, in an envelope addressed to: Commissioner for Patents, MAIL STOP: AMENDMENT, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Date: June 18, 2007 Signature: (Ariana Sanchez)

SF-2333395

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Patent
Docket No. 416272003600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Marc K. HELLERSTEIN

Serial No.: 10/526,860

Filing Date: September 4, 2003

For: METHODS FOR MEASURING THE
RATES OF REPLICATION AND
DEATH OF MICROBIAL INFECTIOUS
AGENTS IN AN INFECTED HOST
ORGANISM

Examiner: Not Yet Assigned

Group Art Unit: 1648

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record.

This Supplemental Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☒ **Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.**
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of __ is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of __ is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

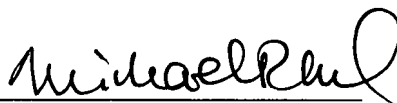
The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist;

(iii) the information, protocols, results and the like reported by third parties are accurate or enabling;
or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **416272003600**.

Dated: June 18, 2007

Respectfully submitted,

By 

Michael R. Ward

Registration No.: 38,651

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ALTERNATIVE TO PTO/SB/08A/B (04/07)

Substitute for form 1449/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Application Number	10/526,860
				Filing Date	September 4, 2003
				First Named Inventor	Marc K. HELLERSTEIN
				Art Unit	1648
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	416272003600

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1.	US-5,916,537-A	06-29-1999	Kajiwaru et al.	
	2.	US-5,924,995-A	07-20-1999	Klein et al.	
	3.	US-6,031,228-A	02-29-2000	Abramson	
	4.	US-6,355,416-B1	03-12-2002	Abramson	
	5.	US-6,642,059-B2	11-04-2003	Chait et al.	
	6.	US-6,835,927-B2	12-28-2004	Becker et al.	
	7.	US-20030119069-A1	06-26-2003	Schneider et al.	
	8.	US-20030211036-A1	11-13-2003	Degani et al.	
	9.	US-6,680,203-B2	01-20-2004	Dasseux et al.	
	10.	US-20040121305-A1	06-24-2004	Wiegand et al.	
	11.	US-20040191916-A1	09-30-2004	Gross et al.	
	12.	US-20050014181-A1	01-20-2005	Galis et al.	
	13.	US-20050092910-A1	05-05-2005	Geromanos et al.	
	14.	US-20050118724-A1	06-02-2005	Bateman et al.	
	15.	US-6,902,719-B2	06-07-2005	Wagner	
	16.	US-6,906,320-B2	06-14-2005	Sachs et al.	
	17.	US-20050153346-A1	07-14-2005	Schneider	
	18.	US-20050175982-A1	08-11-2005	Iwatani et al.	
	19.	US-20050221278-A1	10-06-2005	Iwatani et al.	
	20.	US-20050281745-A1	12-22-2005	Lee et al.	
	21.	US-20060100903-A1	05-11-2006	Lee et al.	
	22.	US-20060105322-A1	05-18-2006	Iwatani et al.	
	23.	US-7,048,907-B2	05-23-2006	Groman et al.	
	24.	US-7,057,168-B2	06-06-2006	Miller et al.	
	25.	US-20060120961-A1	06-08-2006	Schneider et al.	
	26.	US-7,084,396-B2	08-01-2006	Schneider	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	27.	WO-06050130-A2	05-11-2006	Target Discovery Inc.		
	28.	WO-06081521-A2	08-03-2006	The Regents of the University of Colorado		
	29.	WO-06107814-A2	10-12-2006	Washington University in St. Louis		

*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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sf- 2329176

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/526,860
				Filing Date	September 4, 2003
				First Named Inventor	Marc K. HELLERSTEIN
				Art Unit	1648
				Examiner Name	Not Yet Assigned
Sheet	2	of	2	Attorney Docket Number	416272003600

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²	
	30.	LEFEBVRE, P. J. (January 1979). "Naturally Labeled 13C-Glucose: A New Tool to Measure Oxidation Rates of Exogenous Glucose," <i>Diabetes</i> 28(Suppl. 1): 63-65.		
	31.	ROYLE, G. T. et al. (1981). "Techniques for Investigating Substrate Metabolism in Patients," <i>Annals of the Royal College of Surgeons of England</i> 63:415-419.		
	32.	BIER, D. M. (November 1987). "The Use of Stable Isotopes in Metabolic Investigation," <i>Balliere's Clinical Endocrinology and Metabolism</i> 1(4):817-836.		
	33.	SCHNEITER, P. et al. (1998). "Kinetics of Dexamethasone Induced Alterations of Glucose Metabolism in Healthy Humans," <i>American Journal of Physiology</i> , pp. E806-E813.		
	34.	Supplementary Partial European Search Report mailed September 22, 2006, for European patent application no. EP 03768624.3, filed November 4, 2003, 4 pages.		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

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